

Applicants : Petar R. Dvornic et al.
Appln. No. : 09/888,736
Page : 5

REMARKS

Claims 1 and 13 have been amended. Accordingly, upon entry of the above amendment, claims 1-5, 12-17 and 24 will remain pending and under consideration in the application.

Prior Art Rejection

Claims 1-4, 12-16 and 24 have been rejected under 35 U.S.C. §102(e) as being anticipated by Vicari et al. (U.S. Patent No. 6,114,489).

The claims have been amended to require that the curable composition comprises an organic solvent and a hyperbranched polymer. It is respectfully submitted that the Vicari et al. patent is limited to the disclosure of powder coating compositions that are prepared by a process of melt blending a hyperbranched polymer with crosslinkers to form a flake that is subsequently ground to form a powder. There is not any time during the preparation of the powder coating compositions of Vicari et al. when a curable oil exists.

Support for the amendment can be found, among other places, in Example 6, which describes the preparation of a curable viscous oil comprising ethoxysilyl-terminated polyurea and a silanol terminated polydimethylsiloxane linear polymer, which is combined with an organic solvent.

Claims 1-5, 12-17 and 24 have been rejected under 35 U.S.C. §102(b) as being anticipated by Herzig et al. (U.S. Patent No. 5,985,462).

It is respectfully submitted that the Herzig et al. patent does not disclose a curable composition comprising a hyperbranched polymer and a second polymer that is reactive with the hyperbranched polymer. The Examiner has relied specifically on the disclosure at column 16, lines 40-66, which describes the preparation of a curable formulation containing an α, ω -divinylpolydimethylsiloxane and a carbosiloxane crosslinker that is said to be "a strongly branched siloxane having an average of 21 hydrogen dimethylsiloxy groups per molecule." It should be noted that the crosslinker of Example 7 is not said to be a polymer, and this is to be distinguished from the material of Example 8, which is not utilized in any disclosed formulation, and which is described as a polymer. Thus, the Herzig et al. patent does not disclose the claimed curable composition comprising a hyperbranched polymer and a second

Applicants : Petar R. Dvornic et al.
Appln. No. : 09/888,736
Page : 6

polymer that is reactive with the hyperbranched polymer. Further, one having ordinary skill in the art would not be motivated by the teachings of the Herzig et al. patent to utilize a hyperbranched siloxane crosslinker in place of the disclosed "carbosiloxane crosslinker 7" in Example 9, since the Herzig et al. patent expressly teaches (column 8, lines 11-13) "The siloxanes (1) have a molecular weight of from 200 to 400 g/mol and a viscosity of preferably at most 10 mm²/s at 25° C." A maximum molecular weight of 400 does not suggest a polymer. In this regard, it should be further noted that dependent claims 2 and 14 require a molecular weight of "from about 1000 to about 25,000" for the hyperbranched polymer, and are therefore contrary to the teachings of the Herzig et al. patent.

Claims 1-5, 12-17 and 24 have been rejected under 35 U.S.C. §102(b) as being anticipated by Milco et al. (U.S. Patent No. 5,731,095).

It is respectfully submitted that the above amendments overcome the rejection based on the Milco et al. patent. Specifically, the Milco et al. patent does not teach or suggest the claimed curable composition comprising an organic solvent, a hyperbranched polymer, and a second polymer that is reactive with the hyperbranched polymer, but instead is limited to the disclosure of water-borne non-stick coatings.

Thus, it is respectfully submitted that the claims as amended are not anticipated by the applied prior art references, and are not suggested by the applied references, either individually or in any combination.

Applicants : Petar R. Dvornic et al.
Appln. No. : 09/888,736
Page : 7

CONCLUSION

In view of the above amendments and remarks, it is respectfully submitted that the application is in condition for allowance and notice of same is earnestly solicited.

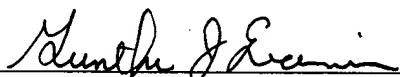
Respectfully submitted,

PETAR R. DVORNIC ET AL.

By: Price, Heneveld, Cooper,
DeWitt & Litton, LLP

January 18, 2005

Date



Gunther J. Evanina

Registration No. 35 502,

695 Kenmoor, S.E.

Post Office Box 2567

Grand Rapids, Michigan 49501

(616) 949-9610

GJE/daw